

September 26, 2012

Subject: Testimony for HB 5600

Dear Members of the House Judiciary,

I am a treatment provider and evaluator for juvenile offenders and have worked in this capacity for the past 11 years. In that time I have seen many youthful offenders make remarkable, positive changes in their lives. I have also seen the stigma of having a juvenile offense on their record cause them to struggle when trying to put their lives back together and become productive members of society. I would like to express support of HB 5600 for the following reasons:

1. By allowing a juvenile to petition to have their adjudication(s) set aside, it allows youth who have been successfully rehabilitated to move forward in their lives.
2. Even if a juvenile does file an application, the decision to set aside the adjudication is made by the court and is not automatic. This puts a fail safe into place allowing the case to be reviewed by the court. Tools such as treatment provider input and risk assessment can be used to carefully review each application prior to a decision being made.
3. This bill would serve to "even the playing field". Presently youth ages 17-20 who are charged under the Holmes Youthful Trainee Act are placed on probation or jailed without having a conviction on their records. Juveniles ages 12-16 who commit the SAME crimes often carry a conviction. Although consent probation is a juvenile option, it is not always utilized fairly or consistently.
4. The bill create a non-public record of the offense to be kept with the department of state police rather than completely expunging it, allowing law enforcement and/or court personal to access it should this become necessary. This adds an additional safeguard.

I urge you to move HB5600 forward.

Thank you.

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